

CHAPTER 7

GARBAGE, REFUSE, WEEDS, AND TRASH CONTAINERS

Sec. 7-1. Prohibited disposal of garbage, trash, etc.

(a) It shall be unlawful for any person within the town to throw, leave or deposit on the streets or on public or private premises any carcass, paper, glass, tin can, nails, ashes, fruit, vegetables, peelings, garbage, trash, slop or any refuse likely to render the streets or premises unclean, unsightly, dangerous to health, life or limb, or affecting health, life, or limb.

(b) No refuse matter of any sort shall be deposited within the town limits at any place except at such locations as may be approved by the council of the Town of Amherst as public dumping grounds and which are designated as such at each location by an appropriate sign, at the curb for curbside trash pick-up or in a dumpster.

(c) It shall be unlawful for any person to deposit on any public dumping ground refuse matter of any sort except ashes, clean dirt, incombustible trade wastes, grass, weeds, leaves, plant trimmings and such other refuse matter as may from time to time approved in writing by the Town Manager; but all such other refuse matter shall be completely covered by either ashes or clean dirt, unless otherwise directed by the Town Manager. (Code 1965, Sec. 3-8.)

Sec. 7- 2. Maintenance of premises.

All owners, occupants and persons in charge of real property, including vacant lots, shall at all times maintain such premises in a clean and sanitary condition, free from stagnant water, weeds, filth, trash, garbage, refuse, litter, unsightly objects and other substances which might endanger the health or safety of other residents of the town.

Under a finding by the Town Council that a health or fire hazard exists on any premises, the Town Manager shall give written notice to the owner, occupant or person in charge of such premises to take such action as may be necessary to abate such violation within ten days or within such lesser period as may be provided in such notice, which may be served in any manner authorized by law for the service of process.

If any owner, occupant or person in charge of any premises to whom such notice is given as above provided fails to comply with such notice within the time therein specified, the Town Manager shall proceed to have done that which was directed in such notice to be done, and the expense so incurred shall be chargeable to and paid by the owner or occupant of the premises involved and may be collected by suit or motion or by distress sale, or by any other means by which taxes and levies are collected. (Code 1965, Sec. 3-10.)

Sec. 7-3. Town collection and removal service regulations.

The procedure for collection and removal by the town of refuse matter shall be in accordance with the following regulations:

(a) *Householders, etc., to provide receptacles.*

Every person having refuse matter for removal by the garbage collectors for the town shall provide the containers hereinafter specified. Such containers shall be placed at the curb in front of the dwelling or place of business after 6:00 PM of the day preceding scheduled trash pick-up.

(b) *Separate garbage and ash receptacles.*

If ashes and garbage are to be removed, there shall be provided at least two containers, an ash container and a garbage container.

(c) *Manner and type of refuse, etc., to be placed in receptacles.*

Only clean ashes shall be put into the ash container, but hot cinders or ashes shall not be placed therein. All garbage such as fruit, vegetables, peelings, kitchen and table refuse, food containers, cans and paper shall be put into the garbage container. Ash and garbage containers shall not be filled within four inches of the top. Grass, weeds, plant trimmings, leaves and similar refuse matter shall be placed in a separate container.

(d) *Construction, etc., of receptacles.*

Ash and garbage containers shall be constructed of non-leaking, sturdy material and shall be equipped with tight-fitting lids. Although the person having refuse matter for collection shall generally have the discretion to use any type of container he chooses, the Town Manager may require sturdy or secure containers to prevent scavenging animals from invading containers on a case-by-case basis. Every person having refuse matter for collection shall be responsible for keeping all items in the refuse container until pick-up.

(e) *Tops to be kept on receptacles.*

The tops of such ash and garbage containers shall be kept on to prevent the spilling out of contents, the escape of odors and the attraction of flies.

(f) *Size and number of receptacles.*

Every person having refuse matter for removal may have up to three (3) thirty-five (35) gallon containers.

(g) *Miscellaneous; noncollectible refuse.*

All garbage, meat, bones, vegetables and other organic refuse shall be contained in covered containers, and all paper and refuse shall be in containers, all paper cartons shall be flattened and baled, all hedge, shrubbery and tree clippings shall be tied in compact bundles and leaves in bags or other containers to facilitate the removal of garbage and refuse and in order that the streets of the town may be kept free from paper and trash which is not properly restrained. The Town Manager may refuse to remove trash, garbage, ashes or clippings unless prepared in accordance with this section.

(h) *Mandatory compliance.*

It shall be unlawful for any person to violate or fail to comply with any provision of this section. (Code 1965, subsecs 3-7, 3-9.)

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Sec. 7-4. Collection and disposal personnel.

The town council shall provide for the employment of such personnel or contractors as may be necessary for the operation of the town garbage and refuse collection service. All such personnel and contractors shall be under the direction of the Town Manager. (Code 1965, Sec. 3-2.)

Sec. 7-5. Collection charges.

Garbage and refuse collection fees and charges shall be as from time to time established by the town council; and each schedule of fees and charges so prescribed shall be maintained on file in current status in the office of the town clerk.

Sec. 7-6. Use of Trash Containers.

All persons who are connected to the Town of Amherst utility system shall participate in the refuse collection service. Except for unusual cases approved on a case-by-case basis by the Town Council, it shall be unlawful for any person who is not on the Town of Amherst utility system to place garbage and refuse at curbside for collection by the town. It shall further be unlawful for any person, other than the owner, to dispose of garbage, trash, or other refuse in a dumpster or trash container which is labeled "Private Owned-Not for Public Use". Any person who violates the provisions of this ordinance shall be subject to a Class 4 misdemeanor.